

House File 754

H-1191

1 Amend House File 754 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 85.34, subsection 2, paragraph n, Code
5 2021, is amended by striking the paragraph.

6 Sec. 2. Section 85.70, subsection 1, Code 2021, is amended
7 to read as follows:

8 1. An employee who has sustained an injury resulting in
9 permanent partial or permanent total disability, for which
10 compensation is payable under **this chapter** ~~other than an~~
11 ~~injury to the shoulder compensable pursuant to section 85.34,~~
12 ~~subsection 2, paragraph "n",~~ and who cannot return to gainful
13 employment because of such disability, shall upon application
14 to and approval by the workers' compensation commissioner
15 be entitled to a one hundred dollar weekly payment from the
16 employer in addition to any other benefit payments, during each
17 full week in which the employee is actively participating in a
18 vocational rehabilitation program recognized by the vocational
19 rehabilitation services division of the department of
20 education. The workers' compensation commissioner's approval
21 of such application for payment may be given only after a
22 careful evaluation of available facts, and after consultation
23 with the employer or the employer's representative.
24 Judicial review of the decision of the workers' compensation
25 commissioner may be obtained in accordance with the terms of
26 the Iowa administrative procedure Act, **chapter 17A**, and in
27 section 86.26. Such additional benefit payment shall be paid
28 for a period not to exceed thirteen consecutive weeks except
29 that the workers' compensation commissioner may extend the
30 period of payment not to exceed an additional thirteen weeks if
31 the circumstances indicate that a continuation of training will
32 in fact accomplish rehabilitation.

33 Sec. 3. Section 85.70, subsection 2, Code 2021, is amended
34 by striking the subsection.>

35 2. Title page, by striking lines 1 and 2 and inserting <An

1 Act relating to workers' compensation for shoulder injuries.>

HUNTER of Polk